



GARY R. HERBERT

Governor

GREG BELL

Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER

Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA

Division Director

Inspection Report

Permit Number:	C0250005
Inspection Type:	TECHNICAL
Inspection Date:	Tuesday, May 01, 2012
Start Date/Time:	05/01/2012 9:00:00 AM
End Date/Time:	05/01/2012 3:30:00 PM
Last Inspection:	Thursday, April 26, 2012

Inspector: Joe Helfrich

Weather: 60's overcast windy

InspectionID Report Number: 3094

Accepted by: jhelfric

05/15/2012

Permittee: **ALTON COAL DEVELOPMENT LLC**

Operator: **ALTON COAL DEVELOPMENT LLC**

Site: **COAL HOLLOW**

Address: **463 North 100 West, Suite 1, CEDAR CITY UT 84720**

County: **KANE**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

635.64	Total Permitted
435.00	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- ☒ Federal
- ☐ State
- ☐ County
- ☒ Fee
- ☐ Other

Types of Operations

- ☐ Underground
- ☒ Surface
- ☐ Loadout
- ☐ Processing
- ☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The purpose of this site visit was to visit the 885 acre parcel of the Heaton property that has been the subject of habitat improvement since 2008 and determine an appropriate acreage credit for Alton Coal Development. Joe Helfrich met with Larry Johnson, Kirk Nicholes, (ACD), Dustin Schaible, (DWR) and Kevin Heaton, (Landowner of the property being evaluated), at the Alton church parking lot. Larry Johnson did not participate in the field tour.

Inspector's Signature:

Joe Helfrich
Joe Helfrich,
Inspector ID Number: 1

Date

Monday, May 07, 2012

Note: This inspection report does not constitute an affidavit or compliance with the regulatory program of the Division of Oil, Gas and Mining.
1591 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



Permit Number: C0250005
 Inspection Type: TECHNICAL
 Inspection Date: Tuesday, May 01, 2012

Inspection Continuation Sheet

Page 2 of 3

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Protection of Fish, Wildlife and Related Environmental Issues

The first stop was on a ridge on the north west side of the parcel overlooking the treatment area. Kevin Heaton indicated that his father Karl had begun the treatment in 2008 using a chemical called Spike that can be used progressively to kill or knock back sage brush depending on the application and a bulldozer to clear oak brush and other shrubs and trees. The open and sage brush areas were then seeded. Karl Heaton continued treating this 885 acre parcel through 2011. According to Kevin, his father Karl treated this area to improve the habitat for Mule deer and livestock. According to Rhett Boswell and Dustin Schaible, DWR provided the seed. ACD provided some technical assistance from Dr. Steven Petersen regarding the grass and forb species in the seed mix and areas to be cleared to improve the habitat for Sage grouse and the use of a range land drill to Karl Heaton. Karl was compensated for the habitat restoration work by the Natural Resource Conservation Service, (NRCS), personal communication with Nile Sorensen, NRCS Farm Bill Biologist. The second stop was on a ridge overlooking the mine to the west where Dustin Schaible suggested that Pinyon and Juniper trees in areas to the west north and south of the mine could be removed. There were also some areas on private land, (Heatons and possibly Burton Pugh), to the east of the mine along Robinson creek that were visited. They consisted of a mix of PJ and pockets of sage interspersed with PJ and open areas mixed with sage and rabbit brush. DOGM will consult with DWR in determining an appropriate amount of acreage that the mine could be credited for. It was suggested to Mr. Nicholes that the areas around the mine discussed on the field tour be included as possible habitat restoration areas and should be included in the revision to appendix 3-5.